



Cincinnati Police Department STAFF NOTES

September 12, 2006

Colonel Thomas H. Streicher, Jr., Police Chief



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1. 2006 ANNUAL INSPECTION OF UNIFORMS AND RELATED EQUIPMENT

The 2006 annual inspection of uniforms and related equipment will be held at the following times and locations:

District One	Monday	October 9th	0600-0900 hours
District Two	Tuesday	October 10th	0600-0900 hours
District Three	Wednesday	October 11th	0600-0900 hours
District Four	Thursday	October 12th	0600-0900 hours
District Five	Friday	October 13th	0600-0900 hours

District One	Monday	October 16th	2030-2330 hours
District Two	Tuesday	October 17th	2030-2330 hours
District Three	Wednesday	October 18th	2030-2330 hours
District Four	Thursday	October 19th	2030-2330 hours
District Five	Friday	October 20th	2030-2330 hours

MAKEUP DATE

District One	Monday	October 23rd	0800-1100 hours
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All sworn personnel must respond, in person, on one of the scheduled dates. All civilian police employees who have an assigned cell phone, pager, or police radio must respond to have that equipment inspected by Police Communications Section.

All officers must bring the following equipment to the annual inspection:

1. Gun belt, issued weapons and gun belt accessories (including individual chemical mace).
2. Clean body armor and body armor covers in need of replacement. Officers wearing body armor must remove it prior to entering the inspection line.
3. CDOP bag, helmet, face shield, and reflective vest.
4. Summer and winter uniform caps.
5. Clean uniform parts in need of replacement, i.e., Ike jackets, pants, blouses, Gortex jackets, windbreakers, and raincoats.
6. City owned cell phones, pagers and assigned police radios (including both batteries and shoulder microphone).

Officers will be inspected for personal grooming. Those responding with soiled clothing **will not** be inspected and will be required to attend a different inspection date after the items have been properly cleaned.

Unit supervisors are responsible for inspection of leather goods. Supervisors will submit a Form 630 for any item in need of replacement.

2. SETTLEMENT AGREEMENT REGARDING LEIS V. ACLU

[Attached](#) to these Staff Notes is an agreement signed by the involved parties to resolve a lawsuit filed by Sheriff Simon Leis against the American Civil Liberties Union.

The lawsuit was filed as an objection to Hamilton County Sheriff's deputies patrolling in Over-the-Rhine being required to comply with the requirements of the Collaborative Agreement. The City of Cincinnati filed a motion to intervene in the lawsuit, thus making our Department a party to the suit.

This agreement does not create any new or additional requirements on the part of the Cincinnati Police Department.

3. MATTHIAS ASKEW V. THE CITY OF CINCINNATI

Former Cincinnati Bengal Matthias Askew has filed a lawsuit against the City of Cincinnati alleging excessive use of force.

[Attached](#) is a letter from City Manager Milton Dohoney, Jr. with more information on the lawsuit.

4. REVISION TO [MANUAL OF RULES AND REGULATIONS](#) AND DISCIPLINARY PROCESS FOR THE CINCINNATI POLICE DEPARTMENT

The Manual of Rules and Regulations and Disciplinary Process for the Cincinnati Police Department has been revised.

The following rule has been added to Section 1.25:

- C. Members will properly and safely store all authorized firearms, both on and off-duty.

This revision is effective immediately. Personnel should review the manual in its entirety. The revised manual is available on the Intranet and on the Department web page.

5. NEW AMERICAN HEART ASSOCIATION CPR GUIDELINES

As of June 01, 2006, the American Heart Association adopted the following new guidelines for cardiopulmonary resuscitation (CPR):

- The compression to ventilation rate for one rescuer CPR on an adult, child, or infant victim is 30:2.
- The compression to ventilation rate for two rescuer CPR on an adult victim is 30:2.
- The compression to ventilation rate for two rescuer CPR on a child or infant victim is 15:2.

- A child is now defined as between the age of one to puberty.
- If an adult or child choking victim becomes unresponsive, lay the victim on a flat surface and open the airway to check for a foreign object. **Do not** perform a “blind finger sweep”. If the object cannot be removed, begin CPR and continue to check for foreign objects before each rescue breath.
- Newer model Automated External Defibrillators (AED) are now designed to deliver one shock to the victim instead of up to three. However, you should continue to follow the instructions of the model in use.

Certifications for those who received CPR training prior to June 01, 2006 are still valid. The American Heart Association Basic Life Support manuals are on file at the Police Academy for those interested in reviewing the new guidelines. Any questions concerning these new guidelines should be directed to Mr. Barry Webb, Police Academy, at 357-7561.

6. PEER SUPPORT TEAM TRAINING

The Peer Support Team has scheduled a class for new members to be held from October 9 through October 12, 2006. This training will be held at the Cincinnati Police Academy.

Peer Support Team members are officers and non-sworn members of the Department trained to provide support in times of need to Department members and their families. Peer Support members have significant life experiences and are willing to share them in a confidential manner.

Personnel interested in becoming a member of the Peer Support Team should submit a Form 17, through the chain of command, to Mr. Barry Webb, Peer Support Coordinator, at the Police Academy. Applications must be received by September 22, 2006. Any questions should be directed to Mr. Barry Webb, Police Academy, at 357-7561.

7. COLLECTION OF VEHICLE COLOR BY THE OHIO BUREAU OF MOTOR VEHICLES

The Ohio Bureau of Motor Vehicles has started adding vehicle color to its RCIC database. Officers can determine a vehicle's color by running an RCIC query on the license plate. However, vehicle colors are only being added as citizens register their vehicles.

8. PRIVATE POLICE OFFICERS NOT AUTHORIZED TO USE/ACCESS QUERY DATABASES

Private police officers are not authorized to have access to or conduct queries from LEADS, RCIC, or NCIC systems. For safety purposes, private police officers may still monitor district operational channels and broadcast emergency radio traffic.

Department personnel are advised that assisting private police personnel in obtaining queried information from our radio or computer systems would be considered a violation with LEADS, RCIC, and NCIC and could result in revocation of access privileges.

Cincinnati police officers may continue to assist private police personnel in investigating incidents brought to their attention as long as all Departmental policies and procedures are followed.

9. NCCJ WALK AS ONE/FREEDOM RUN

The National Conference for Community and Justice (NCCJ) will be holding its annual Walk as One/Freedom Run on Saturday, October 14, 2006. This year's Walk as One consists of 20 regional walk-a-thons and is expected to raise over \$3 million. All funds raised benefit the youth and community leadership programs of the Greater Cincinnati NCCJ and the National Underground Railroad Freedom Center.

NCCJ works with the Cincinnati Police Department on many worthwhile projects including the Annual Police/Youth "Live In", a five day summer camp for inner-city youths. NCCJ also provides the funding for the Department's quarterly newsletter, "The Blue Wave".

In 2005, the Cincinnati Police Department received the Walk as One "Top Community Team" award, with contributions totaling over \$3,000. This year our goal is to achieve this award and exceed last year's fundraising efforts.

The Police Chief has approved the Department's participation in this event. For additional information contact one of the persons listed below.

Ms. Glenna Carter	Police Chief's Office	352-3538
Lieutenant Thomas Lanter	Police Chief's Office/PIO	352-3519
Lieutenant Larry Powell	Community Oriented Policing	352-2972
Lieutenant Kurt Byrd	Intelligence Section	564-2200
Mr. S. Gregory Baker	Police Relations Section	352-2977
Sergeant Sylvia Morales	District Three	352-3574

10. THANK YOU LETTERS

[Attached](#) to these Staff Notes are several letters of appreciation and praise written to the Police Chief for the professionalism displayed by our Department and specifically the following officers:

Sergeant Greg Lewton
Police Specialist Bruce Scholl
Police Officer Gerald Hatcher
Police Officer Brian Johnson
Police Officer Mark Sneed
Police Officer Chris Thomas
Police Officer Princess Davis

Police Specialist Rick Malone
Police Officer Mark Williams
Police Officer Jana Cruse
Police Officer Terry Peirano
Police Officer Robin Upchurch
Police Officer Odayues Leonard

SETTLEMENT AGREEMENT
***Leis v. ACLU, et al*, USDC SD OH Case No. 1:06CV054**

This settlement agreement is entered into between Simon Leis, the Hamilton County Sheriff (HCSO), the American Civil Liberties Union of Ohio Foundation, Inc. (ACLU) and the City of Cincinnati (City). It is intended solely to resolve the disputes between the parties that are further described below and is not intended as an admission by any party on the merits of the litigation to which the agreement applies.

Whereas, the Sheriff of Hamilton County and the deputies that comprise the Hamilton County Sheriff's Office (HCSO) have independent legal jurisdiction under Ohio law to patrol within the City of Cincinnati and enforce the law;

Whereas, the HCSO has pursuant to this authority, commenced scheduled, structured patrols by deputy sheriffs in the Cincinnati neighborhood of Over the Rhine (OTR);

Whereas, the ACLU and the City are parties to a previous settlement agreement known as the Collaborative Agreement, a binding five year agreement effective August 5, 2002 with the goal of improving trust between citizens and the Cincinnati Police Department;

Whereas the Sheriff and the HCSO are not parties to the Collaborative Agreement nor were they parties to the lawsuit that resulted in the Collaborative Agreement, *In re Cincinnati Policing*, USDC, SD OH, Case No. C-1-99-317;

Whereas the Collaborative Agreement provides that, "The parties, their agents, successors and all persons in active concert or participation with any of them shall abide by the terms of this agreement;" and disputes have arisen as to whether this provision of the Collaborative Agreement applies to the structured law enforcement activities of HCSO conducted within OTR;

Whereas, the structured OTR patrols by the HCSO include joint roll call with the CPD, deputies carrying CPD radios while on patrol, and regular interaction between the HCSO and the Cincinnati Police Department (CPD) in an area of the City regularly patrolled by the CPD;

Whereas, Sheriff Leis has filed a lawsuit against the ACLU seeking a declaration that he and the HCSO are not subject to the Collaborative Agreement during the OTR patrols, *Leis v. ACLU, et al*, USDC SD OH Case No. 1:06CV054 (removed action), HCCP Case no. A0600652 (original action);

Whereas it is not the intent of Sheriff Leis to interfere with the ongoing function of the Collaborative Agreement and the obligations of the parties thereto;

Whereas the City of Cincinnati has intervened as a defendant in *Leis v. ACLU*;

Whereas, the parties to that lawsuit seek to resolve their differences in a manner that permits and encourages the HCSO OTR patrols to proceed and does not interfere with the obligations of the parties to the Collaborative Agreement;

THEREFORE, in consideration of the mutual obligations undertaken by each of the parties as set out below, the parties agree to resolve this dispute by focusing on the obligations of the parties going forward as follows:

1. The HCSO use of force policies and training shall be examined by Saul Green, monitor in *In re Cincinnati Policing* for the purpose of determining and certifying whether HCSO policies and training are substantially similar to the City of Cincinnati policies that have been deemed in compliance by the monitor. If that certification cannot be made, the monitor shall provide written notice to the parties specifying the dissimilarities. The ACLU and the Sheriff agree to meet and attempt to resolve any dissimilarities issue before returning to court, and may ignore the insubstantial dissimilarities by agreement.
2. The HCSO deputies assigned to the structured OTR patrol will request assistance from CPD mental health response teams when responding to a situation in which such assistance is appropriate. HCSO deputies will insure that they receive appropriate training regarding this resource.
3. Consistent with the initial instructions from Sheriff Leis, the HCSO will continue to instruct deputies involved in the structured OTR patrols to interact with citizens in a positive manner, making friends, building trust, and enforcing the law with an even hand.
4. The HCSO agrees that its deputies will participate in interviews by investigators from the Citizen's Complaint Authority (CCA) when the CCA is investigating use of force or complaints against Cincinnati Police Officers. In case of joint action by deputies and city police officers, the investigator may need to ask questions about all of the actions of the various participants to determine what actions were taken by the CPD officers. The HCSO is not agreeing to be subject to the jurisdiction of the CCA regarding its own officers.
5. The HCSO will investigate any claims of misconduct by its own officers engaged in the OTR structured patrol and agrees to share with the CCA a complete copy of any internal investigation done by the HCSO based on any such complaint.
6. The HCSO agrees to continue making available all records of patrol and law enforcement activity generated during HCSO structured OTR patrols, including those records that reflect the race of the citizens interacting with the HCSO deputies.

7. The City and ACLU agree, as appropriate, to inform the HCSO of CPOP efforts underway in OTR as part of the joint roll call for the officers.
8. The activities of HCSO covered by this agreement include only the structured patrol activity in OTR and do not include other ongoing operations of the Sheriff and HCSO, including but not limited to: warrant service, court services, prisoner transportation, corrections, campus patrols, participation in operational law enforcement task force activity other than the patrol activity mentioned in this agreement regardless whether or not CPD is also a participant, investigations by HCSO within the City of crimes occurring outside its borders, and unplanned law enforcement activity by deputies occasioned by observed criminal activity.
9. In the event that a party believes a breach of this agreement has occurred, it shall provide written notice specifying the alleged breach of the terms of this agreement to all parties. Following notice, the parties shall not file any court action for 14 days. During this period, the parties shall attempt to resolve the dispute without court intervention.
10. All obligations included in this settlement agreement shall terminate upon the earlier of: 1) the termination of the court supervision of the Collaborative Agreement as specified in that agreement, or 2) the cessation of the scheduled, structured patrol activities by HCSO in OTR.
11. The Sheriff shall cause this settlement agreement to be entered as a Special Order and shall distribute same to all deputy sheriffs who are participating in the structured patrols in OTR.
12. Upon the execution of this settlement agreement, the parties agree to stipulate the conditional dismissal of *Leis v. ACLU Foundation, et al*, USDC SD OH Case No. 1:06CV054, under F.R.C.P. 41(a). Jurisdiction of the court shall be preserved for enforcement of these terms consistent with *Kokkonen v. Guardian Life Insurance of America*, 511 U.S. 375, 114 S.Ct. 1673 (1994) and *Caudill v. North American Media Corp.*, 200 F.3d 914 (6th Cir. 2000).
13. All notices required under this settlement agreement shall be sent to:

HSCO:

Sean D. Donovan
Chief Deputy
Hamilton County Sherriff's Office
Room 110 Hamilton County Justice Center
1000 Sycamore Street
Cincinnati, Ohio 45202

ACLU:

City of Cincinnati



Interdepartmental
Correspondence Sheet

September 1, 2006

FOR YOUR INFORMATION MEMO

TO: Mayor and Members of Council

FROM: Milton Dohoney, Jr. City Manager *MD*

SUBJECT: *Matthias Askew v. City*; Case No. 1:06CV579

Former Bengal Matthias Askew filed a federal civil rights complaint late yesterday against the City of Cincinnati, the City Manager, and several police officers, based upon an arrest that occurred on July 22, 2006. The lawsuit alleges that the City's use of tasers on Mr. Askew and similarly situated individuals is unconstitutional under both the U.S. and Ohio Constitutions.

The City's use of force policy has been updated since the historic collaborative agreement. The City's use of force policy, including the use of tasers, was reviewed and approved by the Department of Justice and the Monitor for the Collaborative and Memorandum of Agreement. The use of tasers against potentially violent and unpredictable criminal suspects has decreased the use of deadly force by City police officers. The use of tasers has proven to decrease injuries to both officers and suspects.

Mr. Askew was found not guilty after a bench trial in Hamilton County Municipal Court. Despite this finding, the actions of the officers were reasonable given the totality of the circumstances. Police officers are forced to make split second decisions in situations that are tense, uncertain, and rapidly evolving. For these reasons the City will vigorously defend its officers and its use of force policy.

The City Solicitor's office will provide periodic updates as the case progresses.

c. J. Rita McNeil, City Solicitor *JRM*
Police Chief Thomas H. Streicher, Jr.



August 29, 2006

Bethel Baptist Church

Dr. Wayne R. Davis, Pastor 2712 Alms Place + Cincinnati, Ohio 45206 + Phone: 513 961-0804 + Fax: 513 961-1970

Police Officer Janet Cruse
Cincinnati Police Department
4150 Reading Road
Cincinnati, Ohio 45229

Dear Officer Cruse:

On behalf of the Bethel Baptist Summer Enrichment Program, I am writing to thank you for participating in our safety program along with Officer Hatcher on August 8, 2006. Your invaluable practical information about your line of duty and safety issues the students face on a daily basis made a great impact on our youth. Your presence really captivated our children as noted by some of their questions and comments and their enthusiasm during your presentation.

Thanks again for giving of your time to visit our church and giving our students the unique experience of interacting with you and learning first hand about your work as a police officer. I trust our youth will remember and put into practice the wonderful safety information you discussed during your presentation.

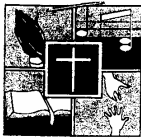
Enclosed is a group picture taken of you and our students.

Sincerely,

A handwritten signature in cursive script that reads "Lillian Victor".

Lillian Victor, Coordinator
Bethel Baptist Tutorial &
Summer Enrichment Programs
Dr. Wayne R. Davis, Senior Pastor

cc. Capt. Richard Schmalz
cc. Chief Thomas Streicher



August 29, 2006

Bethel Baptist Church

Dr. Wayne R. Davis, Pastor 2712 Alms Place † Cincinnati, Ohio 45206 † Phone: 513 961-0804 † Fax: 513 961-1970

Police Officer Gerald Hatcher
Cincinnati Police Department
4150 Reading Road
Cincinnati, Ohio 45229

Dear Officer Hatcher:

On behalf of the Bethel Baptist Summer Enrichment Program, I am writing to thank you for participating in our safety program along with Officer Cruse on August 8, 2006. Your invaluable practical information about your line of duty and safety issues the students face on a daily basis made a great impact on our youth. Your presence really captivated our children as noted by some of their questions and comments and their enthusiasm during your presentation.

Thanks again for giving of your time to visit our church and giving our students the unique experience of interacting with you and learning first hand about your work as a police officer. I trust our youth will remember and put into practice the wonderful safety information you discussed during your presentation.

Enclosed is a group picture taken of you and our students.

Sincerely,

Lillian Victor, Coordinator
Bethel Baptist Tutorial &
Summer Enrichment Programs
Dr. Wayne R. Davis, Senior Pastor

cc. Capt. Richard Schmalz
cc. Chief Thomas Streicher



NATIONAL ORGANIZATION OF BLACK LAW ENFORCEMENT EXECUTIVES
4609 PINECREST OFFICE PARK DRIVE, SUITE F
ALEXANDRIA, VIRGINIA 22312

August 21, 2006

Sergeant Greg Lewton
Cincinnati Police Department
District One
310 Ezzard Charles Drive
Cincinnati, OH 45214

Dear Sgt. Lewton,

On behalf of the National Organization of Black Law Enforcement Executives (NOBLE) and the NOBLE Youth Initiative, I would like to express our sincerest gratitude for your assistance during the 5th Annual NOBLE Youth Conference held in Cincinnati, Ohio, July 8-12, 2006. America's youth are of utmost importance and based on your selfless contribution to the success of our recent conference, I know you share this priority of preparing our youth to assume leadership roles in the future. You should be commended for your commitment to making this happen.

Based on the feedback NOBLE received, the conference was well received by both the youth participants and their parents. Your contribution to the success of the conference was very much appreciated and you should take pride in the future return our youth will provide on your generous investment in their preparation.

In closing, the NOBLE Youth Initiative thoroughly enjoyed working with you and hopes that our efforts warrant your desire to assist in future youth conferences and training initiatives. Please feel free in contacting me if you have any questions regarding the NOBLE Youth Initiative, (973) 792-7600.

Sincerely,

Rhonda M. Glover
NOBLE Youth Initiative
Chairperson



NATIONAL ORGANIZATION OF BLACK LAW ENFORCEMENT EXECUTIVES
4609 PINECREST OFFICE PARK DRIVE, SUITE F
ALEXANDRIA, VIRGINIA 22312

August 21, 2006

Officer Mark Williams
Cincinnati Police Department District One
310 Ezzard Charles Drive
Cincinnati, OH 45214

Dear Officer Williams,

On behalf of the National Organization of Black Law Enforcement Executives (NOBLE) and the NOBLE Youth Initiative, I would like to express our sincerest gratitude for your assistance during the 5th Annual NOBLE Youth Conference held in Cincinnati, Ohio, July 8-12, 2006. America's youth are of utmost importance and based on your selfless contribution to the success of our recent conference, I know you share this priority of preparing our youth to assume leadership roles in the future. You should be commended for your commitment to making this happen.

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In closing, the NOBLE Youth Initiative thoroughly enjoyed working with you and hopes that our efforts warrant your desire to assist in future youth conferences and training initiatives. Please feel free in contacting me if you have any questions regarding the NOBLE Youth Initiative, (973) 792-7600.

Sincerely,

Rhonda M. Glover
NOBLE Youth Initiative
Chairperson

Chief Streicher -

8/29/06

I want to send a personal letter to thank and commend the following officers of the Cincinnati Police Department for their actions on the morning of August 17, 2006.

Officer Brian Johnson
Specialist Bruce Scholl
Specialist Roderick Malone
Officer Terry Peirano
Officer Mark Sneed
Officer Robin Upchurch
Officer Christopher Thomas
Officer Odrygues Leonard

I am a Cincinnati Firefighter assigned to Engine Company 3, on 9th and Broadway. My vehicle was broken into in the parking lot of the firehouse. Officer Johnson responded quickly and was very helpful. A member of the fire department called my cell phone, which had been stolen out of my car and arranged to meet with the person who was now in possession of it. Officer Johnson was able to coordinate with all the above listed officers and my cell phone was recovered and

two subjects were quickly apprehended.

I am so very grateful that the officers of the Cincinnati Police Department were able to arrest these two people and recover some of my stolen property. I hope to thank each one in person, as I have the fortune of seeing many on a daily basis downtown.

Thank you very much for you and your officers continued hard work.

Sincerely,

Shana Johnson



DUKE ENERGY CORPORATION
139 East Fourth St.
Cincinnati, OH 45202

August 16, 2006

CINCINNATI POLICE DEPARTMENT
CAPTAIN KENNETH JONES
District 1
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Dear Captain Jones,

I am writing to you to express my sincere thanks to you for allowing Officer Princess Davis to participate in the 2006 Duke Energy Community Services Workshop on August 10, 2006.

Officer Davis is a wonderful ambassador of the Cincinnati Police Department and it is a pleasure to know her. Her sessions at our Workshop are always in great demand and she never fails to bring down the house with her enthusiasm and dynamic personality.

Thank you for sharing her with us this year.

Sincerely,

A handwritten signature in cursive script that reads 'Cindy Givens'.

Cindy Givens
Customer Relations Coordinator
Duke Energy

Karin F. Lerner
6118 Elbrook Avenue
Golf Manor, OH 45237

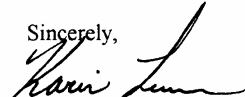
August 4, 2006

Chief Tom Streicher
Cincinnati Police Department
310 Ezzard Charles Drive
Cincinnati, OH 45214

Dear Chief Streicher:

I am writing to tell you how much I appreciate the opportunities I had to spend time with members of your department this summer in a "ride-along program" as part of my studies in criminal justice at the University of Cincinnati. By watching the officers on numerous occasions in different settings over the past few weeks, I have learned a great deal about the challenges of the work they do and the satisfaction they feel when successful. It was like "on-the-job experience" and it gave me a chance to see what most citizens never do. Moreover, I want you to know that everyone I met was highly professional and respectful in dealing with me. Overall, I found this extremely helpful and educational, and I intend to recommend the program to students whenever appropriate, I know that I will continue to benefit when I enter the work force in the near future.

Sincerely,



Karin F. Lerner